

10/20/08 - Monday, October 20, 2008

CITY OF EAU CLAIRE PLAN COMMISSION MINUTES

Meeting of October 20, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Buchanan, Duax, FitzGerald, Kaiser, Kayser, Larson, Seymour, Waedt

Not Present: Mr. Pearson

Staff Present: Messrs. Genskow, Ivory, Noel, Noland, Tufte

The meeting was chaired by Mr. Kaiser.

1. REZONING (Z-1427-08) “ Amend Chapter 17, Subdivisions, to Create Parkland Fees

Rebecca Noland gave a presentation on the Park Fee Report. The 2005 Comprehensive Plan™s recommendation to consider an ordinance in 2008, growing population, and budgetary shortfalls to maintain the standard of parkland quality per capita, all gave rise to bring this item forward. The proposed fees are based off acres of parkland per person, parkland cost per acre, parkland improvement cost per acre, and persons per household or dwelling unit type. Fees would be spent within statutory limitations and applied to new community parks for acquisition or initial improvement. Fees would pertain only to new residential subdivisions in the City and collected before building permit issuance.

Monica Lewis, 2030 Welsh Drive, member of the Chippewa Valley Home Builders Association, stated the proposed fee ordinance and fees do not solve the problem of providing quality parks. Applying the fees on a select group is unfair. Additionally, people that annex into the City do not have to pay a fee nor do non-city residents that use City parks. The fees would also raise housing prices for multi-family and senior citizens. Ms. Lewis was concerned where the fees would go and thought the issue needs to be studied more.

Neil Haselwander, 3705 Freedom Drive, outlined the current state of the housing industry and explained his housing development-related businesses. He stated the City already has too many fees charged to developers/builders, but suggested a fee could be charged for people to use the public parks if the City needed to raise money.

Mr. Duax asked how the fees would help new community parks when services are being cut and some parks are overbooked. He believed the issue should be studied more.

Mr. Buchanan stated in principle new residential development should be required to pay the fees, however, he would like an ad hoc committee to be formed to study the issue more.

Mr. FitzGerald stated there needs to be more research done in terms of how proposed fees might affect the housing market, especially low-income housing.

Mr. Buchanan recommended to the City Council that a committee be created to study the park fees more and that final action would be postponed until the committee comes to a solution. Mr. Larson second and the motion carried.

2. REZONING (Z-1429-08) “ Off-Premise Sign Code, Nonconforming Sign Retrofits

Pat Ivory presented the staff report on the request from Lamar Company to amend Chapter 16 of the Sign Code to allow structural changes to nonconforming billboards to replace sign faces. The applicant™s request is to retrofit old billboard faces with new ones. These potential changes are considered structural in nature and, therefore, not allowed on nonconforming signs Lamar owns. Staff is opposed to amending the ordinance but the commission, in previous meetings, directed staff to work with Lamar to create a draft ordinance. Mr. Ivory provided a map of conforming and nonconforming billboards and addressed how billboards may have become nonconforming.

Rich Reinart and Bill Mitchell, Lamar Advertising, spoke in favor of the draft ordinance. They stated 99% of the retrofits have been completed nationwide and would like to complete the project in Eau Claire. The faces also allow for posters with a vinyl and can be recycled instead of the using paper and glue. They stated face retrofits are cleaner and actually make the billboard panels smaller in size.

Mr. Duax questioned how some nonconforming billboards he has seen have been improved.

Mr. Kaiser, Waedt and FitzGerald all agree if there are going to be billboards in the City they should look the best possible.

Mr. Larson stated he does not want nonconforming signs to remain but asked if the ordinance passed, if Lamar would be willing to make a compromise and take down some billboards.

Mr. Larson proposed an amendment to the main motion that as a condition of approval the five Lamar billboards on City property be

removed when their leases expire. The amendment passed with 5 to 3 majority. Mr. FitzGerald, Mr. Kaiser, and Mr. Waedt voted no.

Mr. Ivory stated that the assessment value billboard companies provide to the City, range from \$300 to \$4,000. State law allows billboard companies to report the value of their signs to the local municipalities. Since sign faces cost about \$1,800 to retrofit; a 50% assessed value rule would make it difficult for some sign faces to be replaced.

Mr. Duax proposed an amendment to the main motion to insert the words assessed value instead of the words replacement value in subpart (a) of the proposed ordinance. Seconded by Mr. Larson. The amendment failed on a split vote. Mr. FitzGerald, Mr. Kaiser, Mr. Waedt and Mr. Seymour voted no.

Mr. FitzGerald motioned to recommend approval of the ordinance. Seconded by Mr. Waedt. The motion failed on a 6 to 2 vote. Messrs. FitzGerald and Waedt voted yes.

3. REZONING (Z-1430-08) “ C-3P & I-1P to C-3P, Truax Boulevard and SITE PLAN (SP-0838) “ Pizza Ranch Restaurant

Darryl Tufte presented the request to rezone property from C-3P and I-1P to C-3P and to adopt the General Development Plan (site plan) for a Pizza Ranch restaurant. The location of the proposed development is at the southeast corner of Truax Boulevard and N. Clairemont Avenue. The site plan shows a 5,344 square foot building for a restaurant and 3,000 square foot future drive-up building. The 100 parking stalls for the restaurant will be reduced to 93 and a number of planning and engineer conditions will need to be met as part of an approval.

Applicants, Randall Stofferahn, 4400 E. Woodland Drive, and Orville Van Roekel, 204 19th Street, SE, Orange City, Iowa, spoke in favor of the project. They provided background on Pizza Ranch™s history and stated they can redesign the hanging drive-up sign.

Mr. Buchanan recommended approval per the conditions contained in the staff report. Mr. Kayser seconded and the motion carried.

4. CAPITAL IMPROVEMENT PLAN “ 2009-2013 Capital Improvement Plan

Mrs. Noland noted major project expenditures in the proposed Five Year 2009-2013 Capital Improvement Plan pertaining to the commission™s interest or oversight. For instance, \$350,000 would be appropriated for the 2013-2014 Comprehensive Plan update.

Mr. Buchanan suggested the transit transfer center could be built into a mixed-use building.

Mr. Genskow stated the Craig Road realignment has been officially mapped but not acquired.

Mr. Duax recommended approval of the 2009-2013 Capital Improvement Plan. Mr. Kayser second and the motion carried.

5. EXCESS LAND “ Anderson Drive

Mrs. Noland brought forth a City request to declare a vacant parcel of land at 3166 Anderson Drive and Edgewood Lane as excess. She explained the owner of the adjacent property owner would like to buy the nonconforming City lot for \$500 and combine the properties.

Mr. Buchanan recommended approval of declaring the land as excess. Mr. Kayser seconded and the motion carried.

6. EXCESS LAND “ E. Madison Street

Mrs. Noland brought forth a second City request to declare a vacant parcel of land at 714 E. Madison Street and Division Street on the hilltop as excess. She explained a potential buyer of the adjacent lot would like to buy the City nonconforming lot so a duplex or multi-family structure could be built when the properties are combined.

Mr. Buchanan recommended approval of declaring the land as excess. Mr. Kayser seconded and the motion carried.

7. DISCUSSION/DIRECTION

A. Comprehensive Plan “ Sustainability Amendment

Mr. Tufte stated the seconded workshop was successful and staff received input to create another seven issues relating to sustainability. Staff has now revised the list, along with potential responses to each item, and would like to get the commission™s support.

Commissioners thanked staff for their efforts and the public process.

B. Code Compliance Items

A compliance item was brought up regarding potential Famous Dave illegal signs located on the theater off Highway 93 and also the Hancock Fabric sign along Hwy. 53.

C. Future Agenda Items

None.

8. MINUTES

The minutes of the meeting of October 6, 2008, were approved.

Fred Waedt
Secretary